

4.6 CRIMINAL RECORDS BACKGROUND CHECK AND FINGERPRINTING

An applicant or employee's criminal history may indicate that the applicant or employee is not fit to work at Scholars Academy. Therefore, in accordance with N.C.G.S. § 115C-332, a criminal records check of an individual's county, state or federal criminal history will be conducted on all applicants for employment who accept an offer of employment or re-employment, including full-time, part-time, substitute and temporary employees. A criminal records check may also be conducted on a selective, random or rotating basis for any current employees, annually rehired employees, and employees whose contracts are scheduled to be renewed.

In order to conduct an accurate check of criminal records, all applicants for employment will be required to submit to fingerprinting, and any current employee may be required to submit to fingerprinting. The refusal to consent to a criminal records check or fingerprinting will result in the applicant not being offered employment, or if a conditional offer has been made, the offer will be withdrawn or the employee's employment will be terminated, as applicable.

If a person omits information or gives false information concerning his or her criminal history on his or her employment application, background check form, resume or any other required or submitted application-related document, that person may not be offered employment. If the person has been: (a) hired, or (b) offered employment conditioned on the results of a criminal history check, the person will be subject to disciplinary action up to and including dismissal or the offer of employment will be withdrawn, as applicable.

The results of criminal records checks will be considered in hiring, discipline, dismissal and other personnel decisions. If an applicant's or employee's criminal history or the resulting additional background check indicates that the person poses a threat to the physical safety of students or personnel or that the person has demonstrated that he or she does not have sufficient integrity, honesty, ethics or other traits to fulfill his or her duties as a public school employee, then the person's offer of employment will be withdrawn or the person's employment will be terminated. All newly hired and rehired employees (whether full-time, part-time, substitute or temporary) are employed conditionally pending the review of the criminal records check and any resulting additional background investigation.

Each employee is required to notify the Executive Director within five calendar days after any felony or misdemeanor criminal conviction, guilty plea or plea of no contest. Any employee who is aware of any criminal conviction, guilty plea or plea of no contest of another employee should notify the Executive Director. Failure to adhere to this will result in discipline, pursuant to Scholar Academy's Employee Discipline policy.

Information obtained through the implementation of this policy shall be kept confidential as provided in Article 21A of Chapter 115C of the North Carolina General Statutes, and N.C.G.S § 115C-332(e). However, the criminal history received on any person who is certificated, certified or licensed by the State Board of Education will be provided to the State Board as required by N.C.G.S. § 115C-332(e).

As required by N.C.G.S. § 115C-238.29F(e1), this policy mirrors the "Criminal Records Background Check and Fingerprinting" policy of the Board of Education of the Charlotte-Mecklenburg School System.

Procedures for implementing this policy will be developed and administered by the School's Executive Director.

Date Adopted: February 29, 2016